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S E C R E T SECTION 01 OF 02 KABUL 002690

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TAGS: [PGOV](#) [PREL](#) [AF](#)

SUBJECT: IEC TAKES POSITIVE STEP TOWARDS FINALIZING FRAUD
PROCEDURES

REF: KABUL 2686

Classified By: PolCouns Annie Pforzheimer, Reason 1.4 (b) and (d)

11. (C) Summary: The Independent Electoral Commission (IEC) Commissioners took a key step September 6 towards addressing claims of fraud in Afghanistan's presidential and provincial council vote. The IEC was supposed to rule on criteria for including or excluding all the ballots quarantined to date, but instead made a partial decision that excludes results representing the most egregious examples of fraud. The Commissioners will meet again September 7 to decide on remaining quarantined ballots. The IEC's decisions on this issue could affect whether or not President Karzai has a first round victory. The IEC also announced on September 6 voting results constituting 74.2 percent of the polling stations. With these two developments, the IEC may be able to announce 100 percent of their preliminary results by September 8. However, the Electoral Complaints Commission (ECC) still has an estimated two to three weeks to finish investigating and adjudicating nearly 700 Category A complaints, as well as any IEC numbers they disagree with, so the process is far from over. End Summary.

The Quarantine Question

12. (S) On September 4, we received broad and credible allegations that the IEC was preparing to release 100 percent of its count, including all then-quarantined ballots, in a response to heavy political pressure from President Karzai. Embassy conferred with the UN and UK, and conveyed our concern about such an action to senior Karzai advisors and Ministers. In a meeting September 5, Karzai Chief of Staff Daudzai confirmed to D/Ambassador Ricciardone that they were watching this issue carefully, would ensure that the IEC abided by its own rules, and hoped that Karzai would obtain more than 50 percent without needing the quarantined ballots at all. We also spoke to Minister of Interior Atmar, who also said he would urge that the IEC perform its functions in accordance with the law.

13. (C) Dr. Abdullah Abdullah's September 5 press conference upped his rhetoric attacking fraud, apparently spurred by the same reports that the IEC would release all quarantined votes. Abdullah's team gave us a copy on September 6 of their most recent complaint to the Electoral Complaints Commission, which claimed that the IEC ignored its own regulations and had included results from 393 suspicious polling stations, representing over 150,000 votes for Karzai.

14. (C) The IEC Commissioners met September 6 to review the IEC's Operations Group (comprised of the Commission's technical experts) recommendations on objective criteria for excluding or including an estimated 500-700 polling center results, that had been quarantined based on a number of technical "triggers" (such as 100 percent votes for one candidates or excessive ballots per box.) The Commissioners'

decision was partial. They opted to permanently exclude 447 polling stations (there are 2-6 stations per polling center) from the count but deferred a decision on the remaining ones.

Those excluded so far include polling stations where:

- 600 or more votes are recorded and 95 percent or more votes are for one candidate;
- the total votes recorded for the polling center excludes the total ballot papers issued to the polling center;
- there are more than 1,000 votes recorded;
- the polling center was supposed to be open but was actually closed on the day of the election;
- the above criteria are not found but an audit team has examined them and finds them to be fraudulent.

15. (S) The UN and others, including a key technical source from within the IEC (reftel), told us that they are pleased at the decision to exclude these 447 polling stations but somewhat concerned about the remaining ones. The IEC technical official claimed that it is only due to constant international pressure and media scrutiny that the IEC Commissioners kept from slipping in some unsavory results into the vote tally. He added that he believes this latest decision makes a second round of elections much more likely. D/Ambassador Ricciardone spoke again to Daudzai late September 6, commending the IEC's first step in this process. Daudzai agreed this was a positive development.

Results Timeline: Complete Preliminary Results by September 8?

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16. (U) At a press conference September 6, the IEC announced the following results which represent 74.2 percent of the total polling stations or 18,877 out of 26,312 polling stations open on Election Day:

Karzai: 2,089,179	(48.6 percent)
Abdullah: 1,361,247	(31.7 percent)
Bashardost 457,909	(10.7 percent)
Ghani: 115,535	(2.7 percent)
Yaseni: 42,306	(1.0 percent)
Tanai: 27,343	(0.6 percent)
Mangal: 20,529	(0.5 percent)
Other: 181,278	(4.2 percent)

Total number of valid votes counted: 4,295,326

Provided it has all its criteria for excluding quarantined ballots in place as of September 7, the IEC may be able to finish its entire preliminary vote count and post 100 percent of the results by September 8 -- their current goal.

ECC: Slow and Steady

17. (C) Once the IEC count is over, the final stage of the process is the ECC's investigation and adjudication mechanism. The ECC has received 2,301 complaints to date, out of which 2,172 have been processed and of those 698 categorized as "A" (those which could affect the election outcome.) A few complaints have been already reviewed and dismissed -- including a video clip aired on "Tolo" TV allegedly showing ballot stuffing. The ECC traced the ballot numbers visible in the clip to a polling station in Wardak province, where Karzai actually only received 13 votes. The ECC already has visited five provinces and will announce more of its rulings this week. Their low profile and slow pace have made some observers concerned about their ability to handle the volume of complaints.

¶8. (C) If the IEC allows many of the still-quarantined ballots through, the ECC is allowed to review those ballots should it choose to do so. This task -- which the IEC said publicly is the safeguard to their choice of exclusion criteria -- poses two risks: it potentially extends the already-lengthy ECC review period, and it puts in place an adversarial relationship between the partly internationally-staffed ECC and the Karzai-appointed IEC.

¶9. (C) For some Afghans, once the IEC reaches its 100 percent mark for preliminary results, this extraordinarily complex counting process will appear to be over. Karzai partisans may find it unacceptable that a further review of the results (by a foreign-dominated institution) could lower their candidate's vote total, and try to use the IEC's results to claim an early victory. Abdullah, seeing this dynamic, will likely step up his verbal protests at any perceived IEC dereliction of its duty.
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